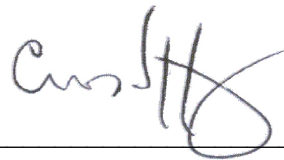


1 15, 2014).

2 Plaintiff's subpoena (ECF No. 17-2) was issued by this court, and seeks compliance at 236
3 Adams Ave., Memphis, Tennessee. Rule 45 therefore requires that any motion to enforce this
4 subpoena must be brought in the District Court for the Western District of Tennessee. Plaintiff
5 argues that Defendant and Sedgewick have waived the right to have the motion heard in Tennessee.
6 However, Plaintiff provides no authority to suggest that the provision of Rule 45 requiring that a
7 motion to compel be brought where compliance is required can be waived. Rule 45(f) sets forth a
8 specific procedure which allows for transfer of a motion to an issuing court, but only under specific
9 circumstances which Plaintiff has not as yet pursued. No other alternatives are provided under Rule
10 45 for an issuing court to entertain a motion to compel production of a subpoena which seeks
11 compliance in another district. Absent a transfer under Rule 45(f) from the district where
12 compliance is required, this Court has no jurisdiction to enforce the subpoena.

13 IT IS THEREFORE ORDERED that Plaintiff's motion to compel (ECF No. 17) is DENIED
14 without prejudice to its reassertion in the proper district.

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16 DATED: October 13, 2017

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20 C.W. Hoffman, Jr.

21 United States Magistrate Judge
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